

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

(1) JEFF ROBERTS,)
(2) ANDREW CASEY,)
(3) HALLI TRIPE-ROBERTS,)
(4) TIA ROBERTSON,)
(5) STACY SPOMER,)
(6) MICHAEL ELY,)
(7) IAN LEE,)
(8) CHRISTOPHER SPURLOCK,)
(9) MIKE STROUD,)
(10) SCOTT KOSLOW,)
(11) JEREMIAH WORRELL, and)
(12) DUSTIN SHEARGOLD,)
individually,)

Plaintiffs,)

v.)

Case No. CIV-10-1273-D

(1) THE STATE OF OKLAHOMA,)
ex rel., BOARD OF REGENT OF)
OKLAHOMA COLLEGES and the)
(2) UNIVERSITY OF CENTRAL)
OKLAHOMA, and)
(3) DEAN PAMELA WASHINGTON,)
(4) ERIC MARLOW,)

Defendants.)

PLAINTIFFS' RESPONSE TO DEFENDANT MARLOW'S MOTION TO QUASH

Plaintiffs, and each of them, submit the following response to the motion to quash for insufficient service filed by Defendant Eric Marlow ("Marlow") [Docket No. 8], and further state as follows:

1. Service was attempted at the 1513 Dakota, Norman, Oklahoma, residence because that was the information that Plaintiffs had as the last known address for Marlow.

2. However, rather than argue whether service was initially proper, Plaintiffs' counsel has communicated with Marlow's counsel, who has graciously agreed to accept service of this suit on behalf of his client.

3. Therefore, Plaintiffs have requested an Alias Summons for Marlow with his attorney's address, and will serve Marlow with the Amended Complaint through his counsel via certified mail. After receipt of the certified mail return receipt, Plaintiffs will file an Affidavit of Service alerting this Court and all other parties that service of Marlow through his counsel was accomplished.

WHEREFORE, Plaintiffs respectfully request that this Court find as moot Defendant Marlow's motion to quash [Docket No. 8], as Plaintiffs will make efforts to serve Marlow through his counsel.

Dated this 2nd day of March, 2011.

Respectfully submitted,

S/Scott F. Brockman

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CERTIFICATE OF MAILING

This is to certify that on this 2nd day of March, 2011, a true and correct copy of the above and foregoing was e-mailed through the Western District Court Clerk's office to the following counsel of record:

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